THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO. 22552 OF 2005

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DATED: 19-10-2005.

Between:

Meda Rami Reddy …Petitioner

and

The District Election Authority(Cooperation)/

The District Collector, Nellore and two others …Respondents

THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO. 22552 of 2005

ORDER:

The grievance of the petitioner is about the second respondent, (election officer to Allur Cooperative Rural Bank Limited) overruling his objection regarding the validity of the nomination of the 3rd respondent, who still owes amounts to the society, as per the certificate issued by the Secretary of the said Allur Cooperative Bank Limited produced by him.

Since acceptance or rejection of a nomination is an intermediatory stage in the election process and since this court would not generally interfere with such orders in exercise of its jurisdiction under Article 226 of the Constitution as the aggrieved party has an effective alternative remedy of an election petition before the concerned Tribunal as held by this court in ***"A.P.SARPANCHAS ASSOCIATION AND OTHERS v. GOVERNMENT OF A.P., PANCHAYAT RAJ DEPARTMENT AND OTHERS"***, "***GUTTAKONDA KANAKA DURGA v. STATE ELECTION COMMISSIONER, GOVERNMENT OF A.P., HYDERABAD AND OTHERS"*** and by the Apex Court in ***"C. SUBRAHMANYAM v. K. RAMANJANEYULU AND OTHERS", "SRI SANT SADGURU JANARDHAN***

SWAMY S.D.V.SAMSTAN v. STATE OF MAHARASTRA" the petition is not maintainable and so I do not wish to go into the merits of the contentions raised by the learned counsel for the petitioner. Hence the petition is dismissed without costs granting liberty to the petitioner to approach the Tribunal questioning the validity of the order of the election officer.

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C.Y. SOMAYAJULU, J.

Dated: 19-10-2005.

RNS